

REMARKS

Claims 1, 5, 7, 11, 14, and 22 are currently pending. Claims 1, 14 and 22 are amended and claims 2-4, 6, 8, 10, 12, 13, 15, 16, 19-21 and 23 are cancelled herein without prejudice or disclaimer. Based on the Amendments and the following Remarks, Applicants respectfully request that the Examiner reconsider the outstanding rejections.

Applicants submit that the amendments to claim 1 do not raise new issues that need further search and or consideration. The Examiner has already considered these features as shown at page 9 of the present office action. Accordingly, Applicants request that the amendments to claim 1 be entered into the record and the application be allowed to pass to issuance.

35 U.S.C. §112, 1st Paragraph Rejection

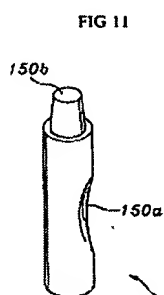
Claims 21 and 23 were rejected under 35 U.S.C, §112, 1st paragraph as containing subject matter which was not originally described in the specification. Claims 21 and 23 are cancelled from the application. The §112 rejection is now moot.

Applicants submit that claims 21 and 23 are canceled in order to further prosecution of this application. Applicants submit, though, that the features of claims 21 and 23 are clearly shown in the specification and more specifically in Figure 9.

35 U.S.C. §102 Rejection

In the Office Action, claims 1, 2, 4, 6, 9, 15 and 19-21¹ have been rejected under 35 U.S.C. §102(b) for being anticipated by U. S. Patent No. 5,988,605 issued to Weisser, et al. ("Weisser"). This rejection is respectfully traversed.

As previously noted by Applicants, the claimed invention is directed to a gas opening/closing pin which opens and closes a gas inlet and outlet formed in a pipe holder which seals one end portion of a cylinder and moves the position of a piston in the cylinder. The gas opening/closing pin includes a recess portion formed on a side (e.g., partially) of the outer peripheral surface of the central portion of the gas opening/closing pin. The remaining portions of the outer peripheral surface, at the central portion, remain substantially cylindrical, as seen reproduced below.



Contrary to the claimed invention, the Weisser reference does not show the indented or recess portion on a side of the pin as recited in the claimed invention. In fact, Weisser shows an

¹ Claims 2, 3, 4, 6, 9, 15, and 21 are canceled without prejudice or disclaimer.

annular recess or ring. The annular recess 20 is formed entirely about the outer peripheral circumference of the pin, itself. This reference, nor does any other references show a depressed portion or recess on only a side of the outer peripheral circumference of the pin. This is clearly a distinguishing feature.

For the above reasons, Applicants submit that the claimed invention is distinguishable over Weisser, and the §102(b) rejection should be withdrawn.

35 U.S.C. §103 Rejections

In the Office Action, claims 3, 8, 10, 11-14, 17, 18, 22 and 23² have been rejected under 35 U.S.C. §103(a) over U. S. Patent No. Weisser in view of Messier. Claim 5 was rejected under 35 U.S.C. §103(a) over Weisser in view of Bennett. Claim 7 was rejected under 35 U.S.C. §103(a) over Weisser in view of Folarin. Claim 6 was rejected under 35 U.S.C. §103(a) over Weisser. These rejections are respectfully traversed.

First, Applicants submit that many of the claims were canceled. Additionally, the remaining dependent claims, dependent claims 5, 7, 11, 14, and 22, depend from a distinguishable independent claim 1. For at least this reason, Applicants submit that the dependent claims are also allowable.

Applicants again submit that the recessed portion of the invention does not extend about the entire circumference of the opening/closing pin but rather to a portion thereof as clearly shown in the Figures. Weisser, however, shows an annular recess or ring formed entirely about the peripheral circumference of the pin, itself. Messier, on the other hand, is very similar to that

² Claims 3, 8, 10, 12, 13, 17, 18, and 23 are canceled from the application.

of Weisser. As seen in Figure 4, for example, the pin includes an annular recess about an entire peripheral circumference of the pin. In fact, the only appreciable difference is that the annular recess, shown at about 18, has a smooth transition between the portion forming the annular recess, itself, and the outer peripheral surface of the pin. Thus, the combination of these references does not show all of the features of the claimed invention.

Also, contrary to the Examiner's contention, Messier does not have a plurality of streamlined recesses, nor are additional overlapping recesses shown, but rather, as one of ordinary skill in the art would appreciate, is simply a single annular recess (i.e., item 18).

Since claims 5, 7, 11, 14, and 22 are dependent claims depending from a patentable independent claim, Applicant submits that these dependent claims are also patentable and should be allowed.

Accordingly, Applicants respectfully request that the 35 U.S.C. §103(a) rejections be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required.

Respectfully submitted,



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